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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: APPLICATION FOR TELEPHONE
INFORMATION NEEDED FOR A
CRIMINAL INVESTIGATION

Case No. 15-XR-90304-HRL-1(LHK)

**ORDER UNSEALING PORTIONS OF
GOVERNMENT’S APPLICATION**

The government has submitted, under seal, an application for an order pursuant to 18 U.S.C. §§ 3122 and 3123 and 18 U.S.C. § 2703(d) seeking CSLI associated with several target cell phones. On April 9, 2015, U.S. Magistrate Judge Howard R. Lloyd issued a public order denying the government’s application. ECF No. 2. On July 29, 2015, this Court issued a public order affirming Judge Lloyd’s decision. ECF No. 30.

Having reviewed the government’s application, the Court concludes that the portions of the application cited in the Court’s July 29, 2015 order are not sealable. The portions of the application cited do not reveal any information that might jeopardize an ongoing criminal investigation. Specifically, the Court mentions that the cellular service providers for the target cell phones are Verizon and AT&T. However, Verizon and AT&T are the two largest wireless

1 providers in the United States with over 100 million subscribers each. Other citations to the
2 application are from portions that the government generally conceded was “boilerplate,” Hr’g Tr.
3 at 54:1, and therefore not unique to the government’s investigation.

4 Accordingly, the Court hereby ORDERS that the portions of the government’s application
5 cited in the Court’s July 29, 2015 order affirming Judge Lloyd (ECF No. 30) be unsealed.

6 **IT IS SO ORDERED.**

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8 Dated: July 29, 2015

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12 LUCY H. KOH
13 United States District Judge
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